

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

ANTONIO RODREGIS DUFF, #186551, )  
  )  
Plaintiff,                            )  
  )  
v.                                     ) CIVIL ACTION NO. 2:09cv523-ID  
  )  
WARDEN DANIELS,                    )  
  )  
Defendant.                            )

**OPINION and ORDER**

On May 26, 2011, the Magistrate Judge filed a Recommendation in this case to which no timely objections have been filed. (Doc. No. 22). Upon an independent review of the file in this case and upon consideration of the Recommendation of the Magistrate Judge, it is

ORDERED as follows:

1. That the Recommendation be and is hereby ADOPTED;
2. That the Defendant's motion for summary judgment (Doc. No. 11) be and is hereby GRANTED.
3. That this case be and is hereby DISMISSED with prejudice.
4. That costs be and are hereby TAXED against the Plaintiff for which execution may issue.

Done this the 16<sup>th</sup> day of June, 2011.

/s/ Ira DeMent  
SENIOR UNITED STATES DISTRICT JUDGE